

RENTON CITY COUNCIL  
Regular Meeting

November 27, 2006  
Monday, 7 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF  
COUNCILMEMBERS**

RANDY CORMAN, Council President; TONI NELSON; DAN CLAWSON; DENIS LAW; MARCIE PALMER; DON PERSSON. MOVED BY LAW, SECONDED BY CORMAN, COUNCIL EXCUSE ABSENT COUNCILWOMAN TERRI BRIERE. CARRIED.

**CITY STAFF IN  
ATTENDANCE**

KATHY KEOLKER, Mayor; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; TERRY HIGASHIYAMA, Community Services Administrator; ALEX PIETSCH, Economic Development Administrator; MARTY WINE, Assistant CAO; CHIEF I. DAVID DANIELS, Fire Department; CHIEF KEVIN MILOSEVICH, DEPUTY CHIEF TIM TROXEL, and COMMANDER DAVID LEIBMAN, Police Department.

**PUBLIC HEARING**

Utility: Sewer Moratorium in  
East Renton Plateau PAA

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider extending the moratorium on sewer availabilities for new subdivisions within the East Renton Plateau Potential Annexation Area (PAA) for an additional six months. The current moratorium expires 12/5/2006.

MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL CONTINUE THE PUBLIC HEARING UNTIL 12/4/2006. CARRIED.

**ADMINISTRATIVE  
REPORT**

Assistant CAO Marty Wine reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2006 and beyond. Items noted included:

- \* Following the official Clam Lights lighting event on December 1 at Gene Coulon Memorial Beach Park, watch for the Rainier Yacht Club's "Parade of Boats," with each lighted boat decorated in the spirit of the season.
- \* The annual K9 Candy Cane 5K Fun Run and Walk will be held on Sunday, December 3.

**AUDIENCE COMMENT**

Citizen Comment: Moore -  
2006 Comprehensive Plan  
Amendments, Highlands  
Zoning Task Force

Kirk Moore, 1901 Harrington Circle NE, Renton, 98056, identifying himself as the chair of the Highlands Zoning Task Force, expressed concern that some citizens are questioning the independency of the task force in the matter of the task force's report and recommendations regarding the Highlands area zoning. Mr. Moore stressed that the task force worked hard on behalf of the residents of the Highlands, City staff, and City Council to produce reasonable and expedient policies for growth and protection in the Highlands.

On behalf of the City, Mayor Keolker expressed her appreciation for the work of the task force.

Citizen Comment: Petersen -  
2006 Comprehensive Plan  
Amendments, Appeals

Inez Petersen, PO Box 1295, Renton, 98057, spoke about the multiple appeals that were filed related to the 2006 Comprehensive Plan amendments. She pointed out that what is proposed for one neighborhood affects all neighborhoods, specifically in regards to high density. Ms. Petersen stated that she supports the work of the Highlands Zoning Task Force, but does not

support what the City did with the work of the task force. She indicated that the public hearing process pertaining to the Comprehensive Plan amendments was invalid, and voiced her support for the appeals that were filed concerning environmental issues and the public hearing process. Ms. Petersen emphasized that citizens should not be forced to spend their money on legal services in order to do what the City should already be doing in regards to these matters.

## CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of 11/13/2006

Approval of Council meeting minutes of 11/13/2006. Council concur.

Appointment: Municipal Arts Commission

Mayor Keolker reappointed Kristi Hand, 517 Smithers Ave. N., Renton, 98057; Marie McPeak, 409 Jefferson Ave. NE, Renton, 98056; Evelyn Reingold, 833 SW Sunset Blvd., L-56, Renton, 98057; and Eleanor Simpson, 418 Wells Ave. N., Renton, 98057, each to the Municipal Arts Commission for a three-year term expiring 12/31/2009. Council concur.

Annexation: Preserve Our Plateau, SE 128th St

Administrative, Judicial and Legal Services Department recommended approval of a resolution regarding the Preserve Our Plateau Annexation election requesting that King County produce a voter's pamphlet, authorizing election steps, and transmitting the ballot title. Council concur. (See page 416 for resolution.)

Community Services: Henry Moses Aquatic Center Fees

Community Services Department recommended approval of the proposed 2007 Henry Moses Aquatic Center fee schedule. Refer to Committee of the Whole.

Community Services: Facility and Recreation Fees & Rates

Community Services Department recommended approval of the proposed 2007 facility and recreation fees and rates schedule related to athletic field fees, Carco Theatre rental rates, Community Center rental rates, and park picnic shelter fees. Refer to Committee of the Whole.

Development Services: Boeing Subdistrict 1B Planned Action

Development Services Department recommended adoption of an ordinance regarding the Planned Action for Subdistrict 1B of the Boeing Renton Plant property; approximately 51 acres bounded by Logan Ave. N., Garden Ave. N., N. 8th St., and N. 6th St. Refer to Committee of the Whole; set public hearing on 12/11/2006.

Development Services: Removal of Restrictive Covenants on Dalpay Properties, Union Ave NE

Development Services Division recommended approval to remove restrictive covenants imposed in 1984 (R-83-033) on the Dalpay properties located on Union Ave. NE between NE 12th St. and Sunset Blvd. NE, as the covenants are now outdated and in conflict with the goals of the current Comprehensive Plan. Refer to Planning and Development Committee.

Plat: Windstone II, Mt Baker Ave NE, FP-04-124

Development Services Division recommended approval of the Windstone II Short Plat as a Final Plat; nine single-family lots and one tract on 3.6 acres located north of NE 17th St. at Mt. Baker Ave. NE. Council concur. (See page 417 for resolution.)

Council: 2007 Legislative Priorities

Economic Development, Neighborhoods and Strategic Planning Department recommended adoption of the proposed 2007 legislative priorities. Refer to Committee of the Whole.

Annexation: Maplewood Addition, Maple Valley Hwy

Economic Development, Neighborhoods and Strategic Planning Department recommended a public hearing be set on 12/11/2006 to consider the proposed Maplewood Addition Annexation and associated zoning; 60.5 acres located at 130th Ave. SE and Maple Valley Hwy. Council concur.

MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

## **CORRESPONDENCE**

Citizen Comment: JDA Group  
- Oversizing Reimbursement  
for Water Main for Sixth  
Street Short Plat

A letter was read from Jack Alhadeff, JDA Group LLC President, 95 S. Tobin St., Suite 201, Renton, 98055, requesting reimbursement in the amount of \$53,750 for oversizing the water main at NW 6th St. for the Sixth Street Short Plat at the City's request. MOVED BY LAW, SECONDED BY CLAWSON, COUNCIL REFER THIS CORRESPONDENCE TO THE UTILITIES COMMITTEE. CARRIED.

## **UNFINISHED BUSINESS**

### **Finance Committee**

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 254370 - 254892 and one wire transfer totaling \$3,400,181.33; and approval of Payroll Vouchers 66588 - 66746, one wire transfer, and 637 direct deposits totaling \$2,008,809.35. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Waiver of Water-  
Related Charge, Curley

Finance Committee Chair Persson presented a report regarding the Pam Curley request related to a reconnection fee. The Committee met to consider the request by Pam Curley to waive a water-related charge. After a complete review of the matter, the Committee believed that the City's current policy and procedures were followed appropriately. Therefore, the Committee recommended that no further action be taken on this matter at this time. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

### **Committee of the Whole**

Utility: 2007 Rates

Council President Corman presented a Committee of the Whole report regarding the 2007 water, wastewater, and surface water utility rates. The Committee recommended concurrence in the staff recommendation to approve the following utility rate changes effective 1/1/2007:

1. A 5 percent increase in water utility rates;
2. A 5 percent increase in wastewater utility rates;
3. A 3 percent increase in surface water utility rates;
4. A monthly King County rate adjustment charge of 56 cents per residential account, and 56 cents per 750 cubic feet of water use for multi-family, commercial, and industrial accounts; and
5. A collection of the King County wastewater treatment charge of \$27.95 per residential customer equivalent per month.

The Committee referred the subject of utility rates to the Committee of the Whole, to be reviewed in early 2007.

The Committee further recommended that the ordinance regarding this matter be presented for first and second reading and adoption. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 418 for ordinance.)

## **RESOLUTIONS AND ORDINANCES**

### **Resolution #3843**

Annexation: Preserve Our  
Plateau, SE 128th St

The following resolutions were presented for reading and adoption:

A resolution was read authorizing the Mayor and City Clerk to take those actions necessary to place Proposition 1 before the voters, including the preparation of information for the voter's pamphlet, for the special election to be held on 2/6/2007 regarding the annexation of approximately 1,475 acres of

contiguous unincorporated territory within Renton's East Renton Plateau Potential Annexation Area, also known as the Preserve Our Plateau Annexation

area. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**Resolution #3844**

Plat: Windstone II, Mt Baker Ave NE, FP-04-124

A resolution was read approving the Windstone II Final Plat; approximately 3.6 acres located in the vicinity of NE 17th St. and Mt. Baker Ave. NE. MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and advanced for second and final reading:

Comprehensive Plan: 2006 Amendments

An ordinance was read adopting the 2006 amendments to the City's 2004 Comprehensive Plan, maps and data in conjunction therewith. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5228**

Comprehensive Plan: 2006 Amendments

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Rezone: Carr Rd Properties, R-8 & R-10 to R-14

An ordinance was read changing the zoning classification of the Carr Rd. properties from R-8 (Residential - eight dwelling units per acre) and R-10 (Residential - ten dwelling units per acre) to R-14 (Residential - fourteen dwelling units per acre) zoning; LUA-05-163, CPA 2006-M-3. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5229**

Rezone: Carr Rd Properties, R-8 & R-10 to R-14

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Rezone: Springbrook Associates, S 37th St, R-10 to CO

An ordinance was read changing the zoning classification of the Springbrook Associates property from R-10 (Residential - ten dwelling units per acre) to CO (Commercial Office) zoning; LUA-05-158, CPA-2006-M-4. MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5230**

Rezone: Springbrook Associates, S 37th St, R-10 to CO

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Rezone: Puget Colony Homes, NE 2nd St, R-8 to R-4

An ordinance was read changing the zoning classification of the Puget Colony Homes property from R-8 (Residential - eight dwelling units per acre) to R-4 (Residential - four dwelling units per acre) zoning; LUA-06-120, CPA 2006-M-5. MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5231**

Rezone: Puget Colony Homes, NE 2nd St, R-8 to R-4

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Comprehensive Plan: 2006

An ordinance was read establishing the zoning classification of the former

Amendments, CA Zone for Aqua Barn Property, Maple Valley Hwy

Aqua Barn property within the City of Renton's Potential Annexation Area as CA (Commercial Arterial) zoning; CPA 2006-M-7. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5232**

Comprehensive Plan: 2006 Amendments, CA Zone for Aqua Barn Property, Maple Valley Hwy

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Comprehensive Plan: 2006 Amendments, R-14 Zone for Aqua Barn Property, Maple Valley Hwy

An ordinance was read establishing the zoning classification of the former Aqua Barn property within the City of Renton's Potential Annexation Area as R-14 (Residential - 14 dwelling units per acre) zoning; CPA 2006-M-7. MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5233**

Comprehensive Plan: 2006 Amendments, R-14 Zone for Aqua Barn Property, Maple Valley Hwy

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Rezone: Upper Kennydale, Jones Ave NE, R-8 to R-4

An ordinance was read changing the zoning classification of the upper Kennydale area properties from R-8 (Residential - eight dwelling units per acre) to R-4 (Residential - four dwelling units per acre) zoning; LUA-06-122, CPA 2006-M-8). MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5234**

Rezone: Upper Kennydale, Jones Ave NE, R-8 to R-4

Following second and final reading of the above-referenced ordinance, it was MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Utility: 2007 Rates

An ordinance was read amending Chapter 2, Storm and Surface Water Drainage; Chapter 4, Water; and Chapter 5, Sewers; of Title VIII (Health and Sanitation) of City Code by increasing utility rates. MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**Ordinance #5235**

Utility: 2007 Rates

Following second and final reading of the above-referenced ordinance, it was MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: FOUR AYES: CORMAN, NELSON, CLAWSON, LAW; TWO NAYS: PALMER, PERSSON. CARRIED.

The following ordinances were presented for second and final reading and adoption:

**Ordinance #5236**

Annexation: Hudson, Benson Rd S & S 168th St

An ordinance was read annexing approximately 14.63 acres of property generally located west, south, and east of the existing City of Renton boundaries defined by a peninsula of land immediately east of 108th Ave. SE, and south of SE 168th St. (Hudson). MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**Ordinance #5237**

An ordinance was read establishing the zoning classification for approximately

Annexation: Hudson, R-8  
Zoning

5.83 acres, located in two sections, the smallest some 2.02 acres, on the south side of SE 168th St. in the easternmost part of the annexation, and the largest, some 3.81 acres, on the west side of 108th Ave. SE, in the northernmost portion of the annexation site; annexed within the City of Renton from R-18 (Urban Residential - 18 dwelling units per acre, King County zoning), R-12 (Urban Residential - 12 dwelling units per acre, King County zoning) and R-8 (Urban Residential - 8 dwelling units per acre, King County zoning) to R-8 (Residential - 8 dwelling units per net acre, Renton zoning); Hudson. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**Ordinance #5238**

Annexation: Hudson, R-10  
Zoning

An ordinance was read establishing the zoning classification for approximately 6.6 acres, located in two sections, the smallest some 1.9 acres, on the western side of 108th Ave. SE, and the largest, some 4.7 acres, on the east side of 108th Ave. SE, both south of SE 168th St., if extended; annexed within the City of Renton from R-18 (Urban Residential - 18 dwelling units per acre, King County zoning), R-12 (Urban Residential - 12 dwelling units per acre, King County zoning) and R-8 (Urban Residential - 8 dwelling units per acre, King County zoning) to R-10 (Residential - 10 dwelling units per net acre, Renton zoning); Hudson. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**Ordinance #5239**

Community Services: Park  
Fund Budget Increase, Staffing  
Expenses

An ordinance was read amending the 2006 Budget to authorize \$35,000 from increased revenues to offset increased overtime and labor costs due to weather related crowd control and the extended Sockeye season. MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**Ordinance #5240**

Utility: Public Works  
Construction Permit Fees

An ordinance was read amending Chapter 1, Administration and Enforcement, of Title IV (Development Regulations) of City Code by increasing public works construction permit fees. MOVED BY CLAWSON, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**Ordinance #5241**

Development Services:  
Wireless Communication  
Facilities in Residential Zones

An ordinance was read amending Chapters 2, 4, and 11 of Title IV (Development Regulations) of City Code by permitting wireless communication facilities within public rights-of-way in residential areas and to incorporate three pre-existing administrative determinations that clarify the wireless regulations. MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

**NEW BUSINESS**

Council: Budget Workshop  
Cancellation

MOVED BY CORMAN, SECONDED BY NELSON, COUNCIL CANCEL THE BUDGET WORKSHOP SCHEDULED FOR 11/29/2006. CARRIED.

Council: Committee on  
Committees

Council President-Elect Nelson announced that the Committee on Committees will be comprised of herself and Councilmembers Law and Corman.

**AUDIENCE COMMENT**

Citizen Comment: Cowan -  
2006 Comprehensive Plan  
Amendments, Upper  
Kennydale Area

John Cowan, 1830 NE 24th St., Renton, 98056, speaking on the subject of the rezone of the upper Kennydale area, indicated that he attended the related public hearings and addressed the Planning Commission on the matter. He explained that he owns a 0.5 acre property in the area, which lacks wetlands, and is adjacently located to four higher density developments. He questioned why the Planning Commission's recommendation not to rezone the area was

reversed by the Council's Planning and Development Committee. Pointing out that the members of the Planning Commission are volunteers, Mr. Cowan expressed concern that their recommendations do not carry much weight and can be arbitrarily reversed.

Stating that the Planning Commission is an advisory board, Mayor Keolker explained that the decision authority rests with the City Council who can choose to accept or reject recommendations from the Planning Commission or any other board and commission.

Mr. Cowan expressed concern about the process, pointing out that a Council sub-committee rejected the Commission's recommendation, and that tonight, first and second reading of the ordinance was held.

Stating that he is vice chair of the Planning and Development Committee, Councilman Clawson emphasized that the recommendations of the Planning Commission are given a lot of weight. He reviewed the reasons why the Committee recommended that the upper Kennydale area be downzoned from R-8 to R-4 zoning, including the area's hydrology and the fact that the area is the headwaters of Kennydale Creek. Mr. Clawson noted the compelling arguments on both sides of the matter, saying that the decision was a difficult one for him to make.

Pointing out that his property is located outside of the wetland area, Mr. Cowan indicated that he wants to build houses on the property. He explained that as he an ordinary citizen and not an attorney, he was unaware of how the process worked and is now unable to file an appeal.

Councilwoman Palmer stated that she is a member of the Planning and Development Committee, and indicated that the Committee reviewed all of the information, including the number of people for and against the matter. Pointing out that she was very sensitive to people's opinions on the issue, Ms. Palmer emphasized that the decision was not an easy one to make.

Discussion ensued regarding the options available to Mr. Cowan now that the ordinance has been adopted. Mayor Keolker advised that he review the matter with Economic Development Administrator Alex Pietsch.

Citizen Comment: Petersen -  
2006 Comprehensive Plan  
Amendments

Inez Somerville Petersen, PO Box 1295, Renton, 98057, claimed that since the public hearings held on November 13 and September 20 regarding the 2006 Comprehensive Plan amendments are invalid due to lack of due process, the ordinances adopted this evening are also invalid. Noting that a number of appeals were filed related to the amendments, Ms. Petersen stated that she wants the community to grow but in a legal way. She displayed photographs of houses with small yards, and questioned whether this is the kind of housing Renton families with children would want.

Councilwoman Palmer indicated that what weighed heavy in her mind in the making of her decision regarding the downzone of the upper Kennydale area were the small "cookie cutter" lots. She noted the importance of having the ability to choose bigger lots.

Citizen Comment: Moore -  
2006 Comprehensive Plan  
Amendments, Appeals

Kirk Moore, 1901 Harrington Circle NE, Renton, 98056, said public hearing notices can be short, and he pointed out that it is up to citizens to be active in government. Mr. Moore expressed disappointment with the appeals that were filed related to the Comprehensive Plan amendments. He indicated that the Highlands Zoning Task Force's recommended plan for the Highlands area

contained significant differences from the original plan. Mr. Moore suggested that the City review the appeal structure and raise the appeal fee from \$75 to \$500.

**ADJOURNMENT**

MOVED BY NELSON, SECONDED BY PALMER, COUNCIL ADJOURN.  
CARRIED. Time: 8:07 p.m.

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Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann, November 27, 2006